

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ERNESTO ACOSTA,	:	
	:	
Plaintiff	:	
	:	23-CV-3551 (VSB)
-against-	:	
	:	<u>ORDER</u>
UNITED STATES OF AMERICA, et al.,	:	
	:	
Defendants.	:	
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VERNON S. BRODERICK, United States District Judge:

This case involves Plaintiff's claims against the United States and Loretta Settonni, and the United States' third-party contribution claims against Deborah Conway and New York City Health and Hospitals Corporation.

On December 3, 2024, Defendant United States submitted a joint letter with Plaintiff requesting a stay of discovery because the United States and Plaintiff have reached an agreement in principle to resolve Plaintiff's claims against the United States. (Doc. 111.) The United States also anticipated dismissal of its third-party contribution claims against Deborah Conway and New York City Health and Hospitals Corporation in connection with the agreement. (*Id.*) The next day, I granted the request to stay discovery. (Doc. 113.)

Separately, on December 3, 2024, the parties filed a joint letter updating the Court on the status of the case. (Doc. 112.) The joint letter stated, among other things, that Plaintiff's claims against Defendant Loretta Settonni have not been resolved. (*Id.* at 1.) Moreover, Plaintiff and Defendant Settonni are still working out a schedule for potential depositions and expert discovery. (*Id.* at 2.)

A telephonic post-discovery conference was scheduled for December 10, 2024 at 11:00 A.M. (Doc. 105.) This post-discovery conference inadvertently was not scheduled on the Court's calendar.


Accordingly, it is hereby:

ORDERED that a post-discovery conference is adjourned sine die, nunc pro tunc, because (1) discovery is stayed as to Plaintiff's claims against the United States and the United States' third-party contribution claims against Deborah Conway and New York City Health and Hospitals Corporation, and (2) discovery has not been completed as to Plaintiff's claims against Defendant Settonni.

IT IS FURTHER ORDERED that the parties file a joint letter, on or before January 10, 2025, updating the Court with the status of the case and, if necessary, whether they seek to have a post-discovery conference.

SO ORDERED.

Dated: December 10, 2024
New York, New York


Vernon S. Broderick
United States District Judge